IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

LA. App. No. 559 of 2001

LAR.14/1995 of ADDL.SUB COURT,KOTTAYAM
.....

APPELLANT/ CLAIMANT:

PUNNOOSE CHACKO,
RESIDING AT KALATHRAYIL, PARIPPU,
AYMANAM, KOTTAYAM.

BY ADV. SRI. JAMES KURIAN

RESPONDENT/ RESPONDENT:

STATE OF KERALA,
REPRESENTED BY DISTRICT COLLECTOR,
KOTTAYAM.

BY GOVERNMENT PLEADER SRI. K.V. MANOJ.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 29/05/2007 ALONG WITH LAA NO. 1386 OF 2002, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ.

L.A.A. NO. 559 OF 2001 &
L.A.A. NO. 1386 OF 2002

Dated this the 29th day of May, 2007.

J U D G M E N T

Kurian Joseph, J.

These appeals arise from the judgment and decree in L.A.R. No. 14/1995 on the file of Additional Sub Court, Kottayam, the former by the claimant for enhancement and the latter by the State against the enhancement given by the Reference Court. The acquisition pertains to the development of parallel road to K.K. road, Kottayam.

2. It is seen from the judgment in L.A.A. No. 142/1999 that in respect of the adjacent property covered by the very same notification, the land value has been fixed at the rate of Rs. 85,000/- (Rupees Eighty five thousand only) per cent with statutory benefits. For parity of reasons, L.A.A. No. 559/2001 is partly allowed fixing the market value at the rate of Rs. 85,000/- (Rupees Eighty five thousand only) per cent with statutory benefits. A copy of the judgment in

L.A.A. No. 142/1999 will be appended to this judgment. L.A.A. No. 1386/ 2002 in the circumstance is dismissed.

KURIAN JOSEPH
JUDGE

T.R. RAMACHANDRAN NAIR
JUDGE

smp